

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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DAVID T. MARK,

Civil No. 06-3057 (JRT/RLE)

Plaintiff,

v.

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

WARDEN MARTY ANDERSON,

Defendant.

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David T. Mark, #17014-047, Federal Medical Center, PMB 4000,  
Rochester, Minnesota 55903, petitioner *pro-se*.

Nicole A. Engisch, **OFFICE OF THE UNITED STATES ATTORNEY**,  
300 South Fourth Street, Suite 600, Minneapolis, Minnesota 55415, for  
respondent.

Based upon the Report and Recommendation by United States Chief Magistrate  
Judge Raymond L. Erickson, and after an independent review of the files and records in  
this case, and on the fact that no objections have been filed to the Report and  
Recommendation, **IT IS HEREBY ORDERED** that the Petition for Writ of Habeas  
Corpus [Docket No. 1] is dismissed as moot.

DATED: February 5, 2007  
at Minneapolis, Minnesota.

s/John R. Tunheim  
JOHN R. TUNHEIM  
United States District Judge